

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| David Gordon Oppenheimer,             | ) |                            |
|                                       | ) |                            |
| Plaintiff,                            | ) | Case No. 1:22-cv-03813     |
|                                       | ) |                            |
| v.                                    | ) | Dist. Judge Manish S. Shah |
|                                       | ) |                            |
| Palace Theater, LLC, Magnificent Mile | ) | Mag. Judge Jeffrey Cole    |
| Productions, Ltd., and                | ) |                            |
| Anthony J. Tomaska,                   | ) |                            |
|                                       | ) |                            |
| Defendants.                           | ) |                            |

**JOINT STATUS REPORT**

Plaintiff David Gordon Oppenheimer (“Oppenheimer” or “Plaintiff”) and Palace Theater, LLC (“PT”), Magnificent Mile Productions, Ltd. (“MMP”), and Anthony J. Tomaska (“Tomaska” and, together with PT and MMP, “Defendants”) submit this Joint Status Report:

The parties have entered into a settlement agreement (“Settlement Agreement”). If both parties abide by the terms of the Settlement Agreement, this action will be dismissed with prejudice. The parties require thirty (30) days to effect the terms of the Settlement Agreement. The parties jointly request extension of all deadlines to allow for the parties to cause the Settlement Agreement to be implemented. The parties request that the case not be dismissed in the interim (even without prejudice), as the statute of limitations has expired on Plaintiff’s claims and Plaintiff would not be able to refile this case with respect to Plaintiff’s copyright claims if Defendants do not fulfill Defendants’ obligations under the Settlement Agreement.

Dated: October 18, 2023

Respectfully submitted,

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